

**IN THE COURT OF APPEALS
FIRST APPELLATE DISTRICT OF OHIO
HAMILTON COUNTY, OHIO**

STATE OF OHIO,	:	APPEAL NO. C-130716
	:	TRIAL NO. B-1207835
Plaintiff-Appellee,	:	
vs.	:	<i>JUDGMENT ENTRY.</i>
JEFFREY SMITH,	:	
Defendant-Appellant.	:	

We consider this appeal on the accelerated calendar, and this judgment entry is not an opinion of the court. *See* S.Ct.R.Rep.Op. 2; App.R. 11.1(E); 1st Dist. Loc.R. 11.1.1.

Defendant-appellant Jeffrey Smith appeals from the judgment of the Hamilton County Court of Common Pleas convicting him, after his pleas of no contest, of one count of possession of cocaine and one count of possession of heroin.

Specialist Kenneth Byrne, a veteran member of the Cincinnati Police Department, searched Smith's vehicle and Smith's jacket, which had been resting on the front seat of the vehicle, during a drug investigation. Byrne found drugs, later identified as cocaine and heroin, inside the jacket. After Smith was indicted on two counts of possession, he moved to suppress the drugs on the grounds that they were the fruits of an illegal search. The trial court denied the motion to suppress.

We overrule the two assignments of error advanced by Smith upon our determination that the trial court properly denied his motion to suppress. The police

effected a search of the passenger compartment of the vehicle, and Smith's jacket therein, in conformity with the Fourth Amendment, where the totality of the circumstances demonstrated that the police had probable cause to believe that the vehicle contained contraband. *See State v. Moore*, 90 Ohio St.3d 47, 51, 734 N.E.2d 804 (2000), citing *Maryland v. Dyson*, 527 U.S. 465, 466, 119 S.Ct. 2013, 144 L.Ed.2d 442 (1999).

Accordingly, we affirm the trial court's judgment.

Further, a certified copy of this judgment entry shall be sent to the trial court under App.R. 27. Costs shall be taxed under App.R. 24.

CUNNINGHAM, P.J., HILDEBRANDT and FISCHER, JJ.

To the clerk:

Enter upon the journal of the court on November 5, 2014

per order of the court _____.
Presiding Judge